

LEGAL AND REAL ESTATE RECORD COMPLETE

COURT PROCEEDINGS

FRIDAY, MAY 5, 1916.

Supreme Court of the United States.

Present: Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Pitney, and Mr. Justice Reynolds.

Stanley C. Hauxhurst, of Milwaukee, Wis., S. P. McChesney, of St. Louis, Mo., Duncan K. Brent, of Baltimore, Md., Lindley H. Hadley, of Bellingham, Wash., Winfield R. Smith, of Seattle, Wash., Edmund L. Durkin, of New York City, Wyndham R. Meredith, of Richmond, Va., James Grafton Rogers, of Denver, Colo., and Samuel A. Etelson, of Chicago, Ill.

No. 95—David Lamar vs. The United States. Motion that mandate issue forthwith submitted by Mr. Assistant Attorney General Wallace for the United States in support of the motion, and by Mr. Henry B. Davis for Lamar in opposition thereto.

No. 96—Frank R. Williams, appellant, vs. Charles Potter et al. Supplemental memorandum on motion to advance and for adjudication without oral argument at the present term submitted by Mr. Frank R. Williams, pro se.

No. 97—Seaboard Air Line Railway, plaintiff in error, vs. the State of North Carolina. Continued, per stipulation.

No. 98—Seton Hall College, plaintiff in error, vs. Village of South Orange, in Essex County, N. J., et al. Continued, per stipulation.

No. 99—The United States, appellant, vs. Louis Hemmer et al. Submitted by Mr. Assistant Attorney General Knaebel for the appellant, and by Mr. Lewis Benson for the appellees.

No. 100—Arthur B. Duet, appellant, vs. Harry B. Hollins et al., etc., et al., and No. 101—Wiener, Levy & Co., appellants, vs. Harry B. Hollins et al., etc., et al. Argument continued by Mr. Henry W. Longfellow for Duet, by Mr. William C. Armstrong for the appellees, and concluded by Mr. Stuart McNamara for Wiener, Levy and Company.

No. 102—Southern Railway Company, plaintiff in error, vs. Maggie Gray, administratrix, etc. Argued by Mr. L. E. Jeffries for the plaintiff in error, and by Mr. Thomas H. Calvert for the defendant in error.

No. 103—St. Louis and San Francisco Railroad Company, plaintiff in error, vs. John H. Mounts. Argued by Mr. R. A. Kleinschmidt for the plaintiff in error. No appearance for the defendants in error.

No. 104—American Well Works Company, plaintiff in error, vs. Layne & Bowler Company et al. Argued by Mr. Paul Synnstedt for the defendants in error, and submitted by Mr. David A. Gates for the plaintiff in error. Adjourned until Monday next at 12 o'clock.

The day call has been suspended for the term.

United States Court of Claims.
Cases posted for Monday:
John H. Cowles, et al. vs. United States; attorneys, C. C. Calhoun, and Seth Shepard, Jr.
Jose Merriavale (3 cases) vs. United States; attorneys, King & King, and G. T. Stornmont.

D. C. Court of Appeals.
Assignment for Monday, May 8, 1916:
Patent appeals Nos. 1077, 1094, 1081, 1053, 1052, 1041, 1068 and 1059, 1094, 1041.

District Supreme Court.
Equity Division, No. 1.
Justice Anderson.

H. W. Gossard Company vs. Gossard; order continuing in force restraining order; plaintiff's attorneys, Berry & Minor and H. P. Gately; defendant's attorneys, Darr, Peyer and Koenigsberger.

Taggart vs. Taggart; decree confirming contract; plaintiff's attorney, J. T. Reeves; defendant's attorney, H. E. Davis.

In re National Capital Life Insurance Company; reference to Auditor; attorney, W. J. Lambert.

Walter vs. Bevans; order confirming sales and reference to Auditor; attorney, John Ridout.

Planagan vs. Arends; order continuing rule; plaintiff's attorneys, J. S. Easby-Smith and R. B. Fleeharty; defendant's attorneys, Sheehy & Sheehy.

Brown vs. Arnold; order overruling motion and extending time to answer; plaintiff's attorneys, D. E. Anthony; defendant's attorneys, Havell & Hawken.

Rigles vs. Delius; order of partition; plaintiff's attorney, G. Percy McGee.

Windsor vs. Windsor; rule returnable two days after service; plaintiff's attorney, E. L. Gies.

In re lunacy of William C. Stone; order authorizing investment.

No assignment for today.

Equity Division, No. 2.
Justice McCoy.

Hess vs. Hess; rule as to alimony pendente lite, returnable May 12; plaintiff's attorneys, J. F. Kelly, Lawrence Huffy and Leon Shore.

Hunt vs. Mansfield; order appointing Ralph P. Barnard and Bates Warren receivers; bond, \$25,000; plaintiff's attorneys, Barnard & Johnson; defendant's attorneys, Bates Warren, W. H. Sholes and W. L. Browning.

Lyncham vs. Huffy; order granting leave to amend bill and amend answer of plaintiff to counter-claim; and leave granted to become co-plaintiffs; and five

days allowed in which to move or plead; plaintiff's attorney, George E. Sullivan; defendant's attorneys, Edmund Burke and Lawrence Huffy.

In re habeas corpus; petition of Herbert A. Hard; decree reversing judgment and granting writ of habeas corpus and discharge of petitioner.

Grace et al. vs. Jenkins et al.; pro confesso ordered and reference to M. M. Murray, examiner; plaintiff's attorney, C. W. Pitts.

Overholt vs. Matthews; order overruling motion to dismiss for want of prosecution and specially setting cause for trial on June 15; plaintiff's attorney, G. H. Lamar; defendant's attorneys, C. A. Kelgwin and R. S. Huldekoper.

Willis, Jr., vs. Stubbelfield; order for defendant to pay certain sum to plaintiff, with interest; plaintiff's attorney, J. H. Bilibrey; defendant's attorneys, R. B. Behrend, Nelson Wilson and C. F. Diggs.

Assignment for today:
3475—Shaw vs. Lane; attorneys, Towns, Fox & Fox—Vocalsang Wright.

Circuit Division, No. 2.
Justice Stafford.

Wilson vs. Boyd; jury disagree and are discharged; plaintiff's attorneys, Rhodes & Cromelin, and W. A. Coombe; defendant's attorneys, Louis Ottenberg and A. L. Newmyer.

Hart vs. Goodman; verdict for plaintiff for \$350; plaintiff's attorney, A. A. Birney; defendant's attorney, W. P. Plimney.

Cronan vs. Cronan; time to submit bill of exceptions extended to May 15; plaintiff's attorneys, B. E. Hinton and J. W. Cox; defendant's attorney, Arthur Peter.

Cuphill vs. Norfolk and Washington Steamboat Co.; motion to strike certain allegations from declaration withdrawn; demurrer to additional count to amended declaration sustained; plaintiff's attorneys, Gittlin & Chamberlain and R. E. Mattingly; defendant's attorneys, C. C. Tucker and Evans Browne.

Lee et al. vs. Welsh; death of certain parties plaintiff made and substitute ordered.

Pietorio vs. Washington Railway and Electric Co.; motion for a new trial filed; plaintiff's attorney, C. H. Merrill; defendant's attorney, George P. Hoover.

No assignment for today.

Criminal Division, No. 1.
Justice Siddons.

United States vs. Ernest D. Leffingwell; violation Section 312 Penal Code; sentenced to penitentiary for one year and six months; sentence suspended and placed on probation; recognizance \$100 taken; attorney, E. L. Gies.

United States vs. William E. Nolan; housebreaking and larceny; sentenced to Ocoquan for ten months; attorney, R. A. Hughes.

United States vs. Joseph Campbell; larceny from United States; sentenced to penitentiary for one year and one day; sentence suspended and placed on probation; recognizance \$100 taken; attorneys, Edmund Carington and S. D. Truitt.

United States vs. Walter Washington; violation Section 312 Penal Code; plea guilty; referred to probation officer; attorney, Fountain Peyton.

United States vs. Myrtle Bustus; adultery; defendant and surety, Peter Jones, called; recognizance \$300 forfeited; bench warrant issued; attorney, J. C. Foster.

United States vs. Lewis J. Moran; housebreaking and larceny; plea guilty; remanded.

United States vs. Robert Ball; housebreaking and larceny; plea guilty; remanded.

United States vs. William H. Perry; joyriding; plea guilty; remanded.

United States vs. William Butler; depredation on private property; plea guilty; remanded.

United States vs. William Smith; assault; rape; plea not guilty; attorney, Bruce Blair.

United States vs. Clarence Tafer; carnal knowledge; plea not guilty; attorney, H. L. Tignor.

United States vs. Harry Leonard; adultery; plea not guilty; attorney, T. L. Jones.

United States vs. Rachael Robinson; robbery; plea not guilty; attorney, L. G. Grossman.

United States vs. Georgelos Constant; carnal knowledge; motion continued to May 20; attorney, F. E. Mitchell.

United States vs. LeRoy E. McCauley; non-support; bench warrant issued.

United States vs. William Brown; assault dangerous weapon; motion for new trial filed; attorneys, T. L. Jones and R. A. Hughes.

United States vs. William E. Ambrose; mandamus from Court of Appeals filed.

United States vs. Edward Sullivan and George R. Drury; robbery; given to jury; attorneys, D. W. Baker, H. A. Grant and D. E. Clarke.

Criminal Division, No. 2.
Chief Justice Covington.

In re estate of Henry C. Freitag, deceased; jury rescripted until Monday, May 8.

Motions for today at 10 a. m.:
1—Shannon & Luchs vs. Peters; attorneys, Wells-Brown.

2—Morgan vs. Brown; attorneys, Brown-Ridout, McMahon.

Before Justice Siddons:
In re estate of Pernela Etherington.

2—Green vs. Reeves; attorneys, Ridout-Marshall.

3—In re estate of Catherine Weems.

4—Major vs. Royal Benefit Association; attorneys, Ryan, Ridout-Hayden.

Probate Division.
Justice McCoy.

Estate Ariana Waters; order for sale of certain chattels; attorney, Irving Williamson.

Estate Hortense B. A. Slaymaker; order appointing William I. Slaymaker ad-

ministratrix; bond \$900; attorney, L. H. David.

Estate Elizabeth A. Welsh; order to purchase bond; attorney, H. D. Cramp-ton.

Estate William M. Carrington; order admitting will to probate and granting letters testamentary to Minnie E. Carrington; bond \$900; attorney, John B. Lerner.

Estate Henry A. Allen; order for sale of automobile; attorney, Louis Ottenberg.

Estate Manuel E. Steele; order appointing George W. Steele administrator; bond \$900; attorney, Edmund Hill, Jr.

Estate Isabella B. Howison; order admitting will to probate and granting letters testamentary to Maud H. B. Cooper and Ray Howison; bond \$1,000; attorney, R. E. Mattingly.

Estate Julia B. Magee; order admitting will to probate and granting letters testamentary to Mary A. McGee; bond \$1,000; attorney, Harvey Given.

Estate Laura F. Queen; order discharging rule.

Estate Sylvester E. Young; petition for appointment of administrator, filed; attorney, B. T. Doyle.

Estate Hobart S. Dye; petition for probate of will, filed; attorney, Raleigh Sherman.

Estate Anne A. Craley; will dated April 24, 1915, filed; attorney, Frederick Imhof; will dated December 31, 1912, filed.

Estate Douglas Reid; petition for probate of will, filed.

Estate Edgar R. Pettit; will dated April 10, 1915, filed.

Estate Mary C. Frey; petition to sell personal property, filed; attorney, L. P. Loving.

Bankruptcy Division.
Justice Anderson.

In re Thomas E. Waggaman; order awarding commutation in lieu of dower.

In re E. Albison; reference to special master.

District Division.
Chief Justice Covington.

In re Porter Place; hearing continued until October 3.

In re First and V streets; hearing continued to October 3.

In re Calvert street; jury sworn and hearing set for May 22.

Bankruptcy Petition.
1906—In re Zachariah G. Jalepes, proprietor of lunch room, 517 Ninth street northwest; voluntary; liabilities, \$2,854.84, assets, \$6,316.75; attorney, A. L. Newmyer.

Law suits.
59121—Robert Atkins by next friend vs. the Maryland Wine and Liqueur Company; damages \$15,000; plaintiff's attorney, Samuel J. Melick.

DEEDS OF TRUST.
Mount Pleasant, lot 4, block 6—Richard H. Beckley et al. vs. Georgia A. to Chas. Brown and H. H. Bergmann, to secure Oriental Building Association No. 8, \$200.

Square 614, lots 94 and 95—Charles L. Henry et al. vs. Nora H. to Union Trust Company, to secure Washington Loan & Trust Company \$5,000; 3 years, 5 per cent, semi-annually.

Square 224, lots 8 and 13—William J. Johnson to George W. Linkins and William H. Linkins, to secure Omaha Bank \$4,500; 3 years, 6 per cent, semi-annually.

Square 235, lot 14—Mary Rhodes to Charles W. Darr and Fred McKee, to secure Security Savings & Commercial Bank \$2,000; 4 per cent, quarterly. Same to same to secure Margaret R. Parks \$500, monthly payments, 6 per cent.

Minnow, lot 2—Berkeley L. Simmons et al. to Katharine L. to Washington Loan & Trust Co. to secure Union Trust Company \$25,000; 3 1/2 years, 6 1/2 per cent, semi-annually.

Square 166, lot 14—Anna J. Baker to Lee Brown and H. C. Lamson to secure A. S. Madden \$100; 1 to 3 months, 6 per cent.

Square 42, part original lot 12—Samuel Livingston et al. vs. Mary to American Security & Trust Co., to secure National Savings & Trust Co. \$3,000; 3 years, 5 per cent, semi-annually.

Square 389, lots 15-17, W. J. Sharitz et al. to William J. Lambert and C. H. Pope, to secure Washington Land & Mortgage Co., \$800; April 27, 1917, without interest.

Square south of 235, lot 8—Mary C. Burns to Henry H. Bergmann and George M. Emmerich, to secure Metropolitan Building Association No. 8, \$300.

Square 91, lot 33—Maud M. Anderson to Henry H. Bergmann and George M. Emmerich, to secure Metropolitan Building Association No. 8, \$1,700.

Square 206, lots 34 and 35—John G. Meinhart et al. to Wharton E. Lester and Michael J. Colbert, to secure National Permanent Building Association \$5,000.

Square 160, lot 12—Mertie L. Howe to George Henderson and James J. Lampton, to secure Herman W. Van Selden \$1,000; 1 and 2 years, 6 per cent, semi-annually.

Square 530, lot 12—Municipal Improvement Company to Harvey T. Windel and Alfred B. Meyer, to secure Harvey O. and Mary L. Pierce \$700; 3 years, 6 per cent, semi-annually.

Gleasonburg & Janor, lot 21—Chemical Products Company to Charles V. Wheeler and James W. Kinman, to secure Henrietta B. Helick \$14,000; 1 year, 5 1/2 per cent, semi-annually.

Square 385, lots 102 to 105—Edith L. Fowler et al. to Charles D. to Henry K. Stump and Maurice Otterback, to secure Margaret A. Demarest \$2,000, and William N. Parns, Jr., \$500; 3 years, 6 per cent, semi-annually.

Square 133, lot 12—James H. Johnson et al. to John L. Weaver and C. F. R. Ogilby, to secure A. A. Hoehling, Jr., \$9,000; 3 years, 5 1/2 per cent, semi-annually.

Holmes Manor, lots 112 and 113, block 6—Charles W. King, Jr., et al. to Samuel A. Drury and James B. Nicholson, to secure Lee Brown \$2,000; 3 years, 6 per cent, semi-annually, on lot 113. Same to same to secure same \$2,500; 3 years, 6 per cent, semi-annually, on lot 112.

Douglas Addition, lot 56, block 18—John J. McCarthy et al. to Julius A. Madel and Rachel Edmonston, Jr., to secure E. Hume Talbot \$1,000; 1 to 2 months, 6 per cent.

Girls' Pention, part of tract described—Lorena F. Plummer et al. to Frank E. to Fred McKee and Arthur G. Bishop, to secure Annie V. Woodward \$1,800; September 23, 1917, and 3 years, 6 per cent, semi-annually.

Whitehaven, part known as Valley View Farm—Spartan Film Corporation to James D. Hobbs and Hubert B. Quinter, to secure Washington A. Berry \$20,000; res. 18 months and 2 years, 6 per cent, semi-annually.

REAL ESTATE TRANSFERS.
1006 Eleventh street northwest—Square 30, lot 35—D. H. Roland Drury to Joseph A. Jennings, trustee, \$14.

Alley between Columbia road, Irving street, and Sherman avenue and Eleventh street northwest—Square 261, part lots 12 and 13, Mount Pleasant—H. Ruder Dulancy and Woodbury Blair, trustees;

Emily N. W. Blair, Rose D. W. Merriam, and Mary A. Mitchell to William A. Volland, \$10,000.

Square 619, lot 20, Congress Heights Extension—William A. Redmond, trustee, to E. F. Sparks, \$200.

First street, between Twenty-fifth and Twenty-sixth streets northwest—Square 16, part original lot 6—Charles H. White et al. to Harriet H. to J. Walter Moulton, \$10.

Square 322, lot 70 and east part lot 71—Chevy Chase Grove-Edward S. Erelsh et al. to Edith M. to Arthur R. Wyle, \$10.

District Courts

Robert Atkins, 12 years old, through his mother, Mrs. Louise Atkins, yesterday filed suit in District Supreme Court for \$15,000 damages from the Maryland Wine & Liqueur Company. It is alleged the boy was seriously injured January 12 at Twenty-eighth and M streets northwest by an automobile owned by the company. The suit was filed by Attorney Samuel J. Melick.

The will of Hobart S. Dye, distributing an estate valued at more than \$7,000, was filed for probate in District Supreme Court yesterday. The estate is to be divided among two brothers, P. Edwin Dye, of Washington, and Henry B. Dye, of Leonardville, N. Y.

Oliver G. Hill has been granted an absolute divorce from W. Curtis Hill. The wife was given the custody of the two children, Oliver and Gale. The divorce was granted by Justice Anderson.

Zachariah G. Jalepes, proprietor of a luncheonette at 517 Ninth street northwest, yesterday filed in the District Supreme Court a petition in voluntary bankruptcy. His liabilities are listed at \$2,854.84 and his assets at \$6,316.75, of which \$5,000 is given as the cost of equipment. Attorney A. L. Newmyer represents the petitioner.

Bates Warren and Ralph P. Barnard yesterday were appointed receivers for the firm of J. W. Hunt & Co. by Justice McCoy. Hunt & Co. were engaged in the paint and oil business at 1215 H street northwest. John W. Hunt had petitioned the court to dissolve his partnership with William W. Mansfield. The receivers,

placed under bond of \$25,000, are authorized to collect all debts and to sell the property and assets of the partnership.

The hearing on condemnation proceedings for the widening of Wisconsin avenue, set for May 15, has been postponed to the beginning of the October term of court. The postponement was made by Chief Justice Covington because of the crowded docket of his court.

U. S. Treasury Report.
The condition of the United States treasury at the close of business yesterday was: Net balance in general fund, \$12,485,824; total receipts yesterday, \$2,352,593; total payments yesterday, \$2,287,707.

The deficit this fiscal year is \$50,320,498, against a deficit of \$99,872,442 last year, exclusive of Panama Canal and public debt transactions.

Revenue receipts this fiscal year, up to the close of business on May 4, \$556,816,088.18; revenue receipts at the close of business on May 4, 1915, \$520,597,041.80.

Ordinary disbursements this fiscal year, up to the close of business on May 4, \$607,254,510.22; ordinary disbursements on May 4, 1915, \$619,512,250.78.

Men Drop Ninety Feet Into Ravine.
Pittsburgh, May 5.—One man was killed today and two were injured, one so seriously that he is expected to die, when a beam on which they were standing while it was being lowered into place over a creek at Culmerville, in the construction of a new bridge, fell into the ravine ninety feet below.

1406 Hobart St. N.W.
Offers the true home lover not only the ideal location, but also the finished surroundings—the right environment. Overlooks new entrance to Rock Creek Park.

THE HOME
Is magnificent in every respect, and contains every special feature known to home construction. Artistically designed, splendidly planned, substantially constructed, and finished in an elaborate style.

9 Rooms and 2 Baths
Price, \$8,250
Easy Terms
Investigate Today.

N. L. SANSBURY CO.,
Agents, 721 13th St. N. W.

The Largest Morning Circulation.

YOUTH and OLD AGE Find Health and Strength in

VINOL

The Modern Tonic



Vinol is recommended to improve the appetite, give tone to the stomach, build up certain run-down conditions and promote strength, thus acting as a general tonic.

It is recommended to assist in the proper assimilation of food and to give to the other organs of the body sufficient vigor to perform their functions.

Especially recommended as a tonic for Elderly People, Weak Women and Pale Children, and during Convalescence. For Chronic Coughs, Colds, and Bronchitis. It is valuable in the treatment of certain conditions of General Weakness, Tumor, Physical Exhaustion, Loss of Flesh, Lack of Animate, Impoverished Blood, Indigestion, Loss of Appetite, and in general where a good tonic is needed. It is agreeable to the most delicate stomach.

HERE'S THE PRESCRIPTION

So You Know Exactly What You Are Taking

R Iron and Manganese Peptonates. Iron and Ammonium Citrate. Lime and Soda Glycophosphates. Beef and Cod Liver Peptonates. Cascaria, Sodium Salicylate (from natural Sweet Birch).

\$1 Per Bottle

SOLD WITH THIS GUARANTEE.

If this bottle of VINOL does not benefit you after you have taken it for some illness for which it is recommended, you may return the bottle to the druggist from whom you got it, and have your money returned. This covers the use of one bottle only.

O'DONNELL'S, 904 F Street N. W.

DOINGS OF THE VAN LOONS—Perhaps it Would Be Better for Father if They Stopped Saving.



BY F. LEIPZIGER